

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

NORTHWEST PIPELINE CORPORATION, a
Delaware corporation,

Plaintiff,

v.

CLARK COUNTY, a local government in the
state of Washington,

Defendant.

Case No. C05-5454FDB

ORDER DENYING MOTION FOR
EARLY TRIAL DATE

This complaint for condemnation pursuant to the Natural Gas Act was filed July 7, 2005. The Joint Status Report is not due until November 4, 2005. Plaintiff Northwest Pipeline Corporation moves for an early trial date and seeks a September 26, 2005 trial date. Northwest Pipeline argues that it needs to install a certain valve for safety as soon as possible, the only issue is just compensation, and Northwest already has an easement and the valve will be constructed within the current easement.


Defendant Clark County objects to an early trial date because the need for an early trial date is Plaintiff's own making as Clark County has consistently indicated that it does not want this valve placed on park property and there is four miles of pipeline over property belonging to other land

1 owners. Moreover, Clark County argues that the Court, pursuant to 15 U.S.C. § 717(f)(h) regarding
2 right of eminent domain for construction of pipelines, the federal court should conform as nearly as
3 possible to the state court procedures, and it must, therefore, be determined that the taking is for a
4 public use and that this parcel is necessary to that use, among other things. Also, the determination
5 of value will not be simple because the property wetlands are involved, there are certain restrictions
6 in place for the property, and the County's appraiser estimates his appraisal will be ready in three to
7 four months and then Northwest representatives must be deposed in order to fully explore the basis
8 for determining just compensation.

9 Having considered the parties' submissions, the Court has concluded that an early trial date in
10 September is not warranted.

11 ACCORDINGLY, IT IS ORDERED: Northwest Pipeline Corporation's Motion for Early
12 Trial Date [Dkt. # 6] is DENIED.

13 DATED this 17th day of August, 2005.

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FRANKLIN D. BURGESS
17 UNITED STATES DISTRICT JUDGE
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